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Wyoming Governors' messages to the Legislature

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MESSAGE

OF

Governor Thayer

TO THE

Fourth Legislative Assembly,

OF

WYOMING TERRITORY,

CONVENED AT

CHEYENNE, NOVEMBER 2ND, 1875

H. GLAFCKE, PRINTER,

DAILY LEADER OFFICE, CHEYENNE, WYOMING TERRITORY.

1875.

GOVERNOR'S MESSAGE.

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :—

You have assembled in compliance with the provisions of the statute, for the purposes of legislation; to make new laws, such as time and the progress of things require; to amend those which are imperfect, and to repeal those which are useless.

I trust you will bring to the task before you, that thorough investigation and candid consideration of the subjects on which you may be called upon to legislate, which the cases may require.

Oftentimes, in new States and Territories, there has been too much legislation; a mass of incongruities and contradictions have been found on the statute book, which should never have had a place there.

Special legislation should be avoided, except when imperative necessity demands it. Laws should be passed for the benefit and protection of all the people alike.

Important laws should not be framed hastily, and all laws should be so plain and distinct, that they may not be left open to diverse constructions. The ends of public justice will thus be subserved, and the business of the courts greatly diminished.

The duration of your session is limited by the organic act to forty days. It is very essential that grave matters of legislation should receive consideration early in the session. It has often occurred in our National and State legislatures that important bills, have been deferred till the closing hours of the session, and in the haste and confusion incident thereto, have passed into laws, containing provisions never contemplated by the framers, and which were put there to accomplish private purposes, and to secure by indirection, that which could not be accomplished openly and fairly.

The legislators and the Executive should each have ample time carefully to consider every bill which they are required to sanction or disapprove.

THE FINANCES.

It gives me pleasure to report to you that the finances of the Territory are in a favorable condition. There is no Territorial debt, and no bonds calling for semi-annual interest. The Auditor has furnished me with the following statement of the receipts and expenditures for the past two years:

On hand	\$ 3,907 02
Receipts for the last two years	36,485 08
Total expenditures for the last two years	30,805 74
Amount now on hand	8,776 37

The total value of property as assessed, for the year 1875, is \$8,684,000.08, showing an increase of over \$1,500,000 during the last two years. The Board of Equalization fixed the rate of assessment for Territorial purposes at three mills on the dollar—the same as the previous year. Amount of tax levied for this year, \$26,052.24, from which subtract about fifteen per cent for collection, and Treasurer's fees, and delinquent taxes. It is believed this amount will be sufficient to meet all necessary expenditures, and leave a surplus in the treasury.

REPORTS.

The reports of the Territorial Librarian, the Superintendent of Public Instruction, and of the Commissioner of Immigration, are herewith submitted, and your attention thereto invited.

The Auditor and Treasurer are required by law to report direct to the legislative assembly.

REDUCE THE BURDENS OF THE PEOPLE.

It should be your duty to reduce taxation, wherever it can be done, consistent with the public welfare. The people expect this at your hands; failing in this respect, you will fail in the discharge of one of your most important duties.

EXPENSES OF CITY GOVERNMENTS.

It is submitted to your wisdom and judgment, whether some plan may not be devised, by which the people of cities, may be relieved in some measure from the heavy expenses, and yet enjoy the benefits of

good government. It is certainly a very questionable policy for small and new communities to assume the powers and obligations of governments of cities suitable for a large population.

EXPENSES OF COUNTY GOVERNMENTS.

The expenses for administering the affairs in all our counties, are too large, and in some cases, excessive. The rate of fees allowed by the various fee-bills are, in many instances, much beyond the value of the services rendered. The fees allowed jurors, witnesses, appraisers, county attorneys, clerks, sheriffs, constables, justices of the peace, and others, should be reduced. The rate of assessment of property, and the rate of taxation, are deemed to be unreasonably high. Such safeguards and limits should be fixed, as, to you, may seem proper, to the end that the burdens resting upon the people may be rendered as little onerous as possible.

POWERS OF COUNTY COMMISSIONERS LIMITED.

The powers and duties of County Commissioners, especially in making expenditures, should be limited and restrained; and no expenses should be incurred save when public necessity urgently demands it.

BONDS OF OFFICERS.

The bonds of many officers filling places of trust, have been found to be utterly worthless, on which not a dollar could be recovered. Also, in some instances, they have been found to be far less in amount than the sums of moneys in the hands of the officers, for the security of which, they were given. These evils should be remedied.

Examinations of accounts of all charged with the custody of public funds, should be frequent and exhaustive; the disposition of the funds, and their places of deposit should be known, and the sums on hand, at frequent intervals, be counted.

Our system of transacting the business of the people is too loose and imperfect. It should be supplanted by one of severe economy and thorough accountability.

POWER OF SUSPENSION AND REMOVAL.

The Executive is responsible for the proper execution of the laws. But he may be embarrassed in this respect by incompetent and un-

faithful subordinate officers, as he has no authority to suspend or remove such, for cause.

He should possess such power, to be exercised only when satisfied that any officer has failed to do his duty in the arrest of criminals, or who, being the depository of the moneys of the people, has proved unfaithful to his trust, or is found to be incompetent. Care should be taken that no injustice be done the officer. If granted, it would undoubtedly infuse the proper spirit into all officers, and render its exercise unnecessary.

The present Executive does not desire this power; nevertheless, it should exist, and be exercised whenever the public good requires it. It is his determination to see that the laws be faithfully executed, and ample protection to life and property secured. The transgressor must be made to know that punishment of crime is sure to follow its commission. It is thus that the peace and order of communities is preserved and the well-being of society secured.

PERSONAL ACCOUNTABILITY AND RESPONSIBILITY.

The idea is too prevalent that the office is to be possessed for the advantage it confers on the incumbent. Every officer should be taught to feel that he is to fill the position for the benefit of the public, and not for his own. More rigid accountability and stricter personal responsibility should be required.

TOWNSHIP GOVERNMENT.

The system of local self-government by means of township incorporations has so long and so generally been in vogue in most of the States of the Union, and has so fully and satisfactorily commended itself to the people, that I recommend its adoption in this Territory. The general government has already opened the way for its easy and convenient success. The lands have been surveyed into townships, six miles square, and their boundaries marked by permanent stone monuments. It only remains to enact a general law, by which the people of any one surveyed township, or, if desirable, in any two adjoining townships, may be able to incorporate themselves, and assume the management of their local affairs. This should be left as much as possible in the hands of the people themselves, and not to rest in the town officers. The powers and duties of the officers should be carefully fixed and lim-

ed by law, and they should be rather the agents of the people, to carry out their expressed wishes, than irresponsible officials, with power to enforce their own views.

All moneys raised, and taxes levied, should be voted by the people at public meeting; and for all expenditures, the officers should be personally responsible. Under such a system, the government rests largely on each member of society, and all are directly responsible for the common good. I cannot too earnestly commend to your patient consideration the establishment of township governments by a general law, applicable to the whole Territory.

ORGANIZATION OF NEW COUNTIES.

There is every probability that before another legislature meets, there will be a large population north of the North Platte, within the present organized counties. Their great distance from the present county seats of those counties will vastly increase the cost of all public business, and, in a great measure, deprive those people of the protection and assistance of the government.

Some proper means should therefore be devised, to obviate those evils. A satisfactory plan would undoubtedly be, to enable those people, whenever they desire it, to incorporate themselves under a general law, and erect a county government by electing the necessary officers.

But whatever method you may decide as the best, I shall gladly co-operate with you in perfecting and carrying it into operation.

REPEAL OF THE ACT CREATING A BUREAU OF IMMIGRATION.

The last legislature passed an act to establish a Bureau of Immigration, and appropriated the sum of \$4,000 for its support, and to defray its expenses. In the present state of our agricultural department, and the uncertainty of the market for labor amongst us, it may be questioned whether it is wise or just, to stimulate by any public effort, immigration hither of the kind usually secured by immigration agents; it being of the poorer class of people who seek the benefit of the homestead and pre-emption laws. We cannot guarantee to the poor, either steady employment or profitable farming. The miner and prospector will not stay away, when once our mineral fields are open to him.

In this view of the matter, I recommend the repeal of the act creating the Bureau of Immigration; or, if it is to be continued in any

form, I suggest that there be simply an agent whose acquaintance and capacities should be such as to make him instrumental in inducing foreign capitalists to come here.

ASSAY OFFICE.

Aside from stock-raising and grazing, the leading interest in our Territory must be mining. It is, therefore, important for us to encourage and assist the hardy prospectors by every reasonable effort in our power to make. I recommend for this purpose, the establishment of a Territorial Assay Office, to be located at a convenient point, and partly sustained by the public funds, where an accurate assay can be cheaply and quickly obtained, and one that shall command the public confidence from the high character of the officer in charge. The expense need not fall heavily on the public purse. A portion of his compensation should be paid by the Territory, and he be permitted to charge a small fee for each assay.

I think it would be well to make this office one of the permanent institutions of the Territory, and require careful records to be kept of every assay made, including a description of the specimens, the locality where found, its economical value, and all other facts of a general interest connected with it. A sample of the ore should be carefully numbered and preserved in the office for future examination and comparison, so that by degrees a cabinet of all the minerals in the Territory may be collected and their assay value recorded for the inspection and instruction of the large mining population, which it is reasonable to believe, will soon be here, to profit by its examination. The knowledge it would impart is now almost beyond our reach; and each man must travel for himself, for many years, over roads often barren, which, a few hours of study in such a cabinet, would enable him to avoid.

THE TIMBER TAX.

The timber tax, as now enforced, entails hardships upon the people, especially the poor class, living in thinly settled communities. The intention of the general government is not to oppress; it is beneficent. The pioneer who takes up hitherto unoccupied lands and improves them, renders a valuable service to the government and to the public; he should, therefore, be permitted to use so much timber as is necessary for the ordinary purposes of living, without cost. Such timber

only should be reserved as is suitable for the purposes of machinery, and for public improvements. As it is, he must pay a tax, or be liable to prosecution.

WANTON DESTRUCTION OF GAME.

Further legislation seems to be necessary to secure the enforcement of the laws now existing, which prohibit the killing of game, such as elk, deer, antelope, etc., between the first day of March and the fifteenth day of August; and, also, during the balance of the year, to prevent the wanton and wholesale slaughter of game, now going on in Wyoming. If this is not done, these animals will, at no distant day, in a great measure become extinct, and thus an important and economic element of living be cut off, which will fall heavily upon the poor settler.

Reliable information has been received by me to the effect that one party of hunters recently killed more than one hundred elk, in the range of mountains east of the Seminole district, and simply took away the hides; and also, that more than three thousand hides of these animals have been brought into the stations of the Union Pacific Railroad, between Laramie and Green River, during the last six months. The meat, of course, was left to waste. Thus, it will be seen, the killing of this game for the hides has become the means of quite an extensive traffic. This is, indeed, cruelty to animals, as well as a grievous wrong to the people, and should be prevented by laws with severe penalties attached for violation of its provisions.

PROTECTION AGAINST STOCK STEALING.

The stock raisers throughout the Territory are very much troubled, and subjected to heavy and vexatious losses, by reason of the constant stealing of cattle, which is carried on so generally.

The facilities for this species of crime are very great, and the temptation must be guarded against by more severe penalties.

The passage of a law is earnestly recommended, with penalties attached for its violation, which shall require a bill of sale to accompany all sales of stock, accurately describing the brand, the number of head, the date of sale, etc., the bill of sale to be recorded in a book kept for that purpose in the County Clerk's office; the party purchasing, also, to keep a similar record, which shall be subject to inspection. And

the sale of hides should be prohibited until the brands upon them shall have been examined by the inspector, appointed for that purpose, and compared with the record kept by the party selling.

The expenses caused by these provisions would be trifling, and should be borne by the parties interested, making no cost to the Territory or Counties; and it should be willingly borne by them, for the sake of securing that mutual protection against the fraudulent sale of stock, which every good citizen so much desires.

RE-OPENING OF THE ROAD TO MONTANA.

In view of the prospective settlement of Northern Wyoming at an early day, the public interests will require the opening again of the old traveled route to Montana. A memorial to Congress asking for the construction of a wagon road to that Territory is advised.

FISH CULTURE.

The subject of fish culture, and the artificial stocking of lakes and streams with the kinds of fish most valuable for food, has, of late, attracted very much interest and attention.

Many of our streams are already supplied with trout; but most other kinds of desirable fish are entirely wanting, while the North Platte and its extensive system of tributaries and branches have no trout whatever, nor any other kinds of fish good for food.

A very little care, and a very small expenditure, will, in a short time, supply all our lakes and rivers with swarms of the best kinds of fish; and hereafter a great resource for our people may be derived from this almost trifling outlay. Proper laws for the encouragement and protection of this industry should be passed; and also laws for the due preservation of the fish in the streams and lakes.

The Territory of Utah has already enacted such, and has invited this Territory to co-operate with it in extending and perfecting the system.

I commend the subject to your favorable notice.

THE CENTENNIAL EXPOSITION.

It is proper to call your attention to the Centennial Anniversary of our existence as a nation; and to the exposition of the world's industries in connection with it, at Philadelphia next year, for which exten-

sive preparations have been, and are being, made. It is certainly desirable that the mineral wealth of Wyoming be represented there. You are respectfully requested to take such action touching this matter as, in your judgment, may seem appropriate.

THE AMENDMENT OF IMPERFECT STATUTES.

There is no portion of your labors that will be more imperatively necessary, or require more mature reflection, than the proper correction and improvement of many of our present statutes. There are many omissions that require to be supplied, many instances of conflict that should be amended, and many ill-considered provisions which should be repealed.

CHATTEL MORTGAGES.

The law providing for chattel mortgages, for example, contains no provisions whatever for foreclosing them, nor any directions to either of the parties, as to what steps they should take to protect or secure their rights under them. With such direction, and with proper safeguards against wrong, there seems to be no reason for retaining the section limiting the duration of such mortgages to one year from the date of their record.

OCCUPYING CLAIMANTS.

So, too, the statute, in relation to occupying claimants, is so prolix and redundant in its enumeration of classes, that it leaves it uncertain at last, who are, and who are not, entitled to its benefits. There can be no doubt that any person who, in good faith, makes valuable improvements on land which another owns, or to which he afterwards acquires a title, should in some way have the benefit of his labor and expenditure, and that it should not be taken from him by his richer or more crafty neighbor, without paying him the fair value for it.

LIEN OF JUDGMENTS.

The law in relation to the lien of judgments, as it now stands, may be used as an instrument of oppression, and is calculated to render titles to real estate doubtful and uncertain. There can be no good reason for giving a creditor a mortgage on all his debtor's real estate, which he may enforce, or not, at his pleasure. The law should require a prompt levy within a reasonable time, or the lien should be dissolved, and a judgment should not become a lien on after-acquired real estate.

until it is levied on the property. These provisions would tend to protect the community and innocent purchasers.

APPEAL BONDS.

Under our present law, a party cannot carry a case to the Supreme Court to obtain a reversal or review of the decision of any court or tribunal of inferior jurisdiction without giving bond in twice the amount of the judgment below, to pay the judgment if he is unsuccessful in his appeal.

This, of course, is no hardship upon the rich man, and is no additional security or protection to his creditor, but it shuts the door of the Supreme Court to the poor man, who has lost his case in the court below, and compels him to abide by the first trial, however erroneous or unjust the result may be.

I cannot believe that these laws are just, which are available only to the rich, and refuse to offer equal facilities to the poor. This provision should be effaced from the code.

THE WIFE TO CONVEY REAL ESTATE.

The present statute permits the wife to acquire and hold real estate, but she cannot convey the same without the concurrence of her husband. It should be amended, so that she can make the conveyance, giving a complete title, without such concurrence.

TESTIMONY OF HUSBAND AND WIFE.

Our code debars the husband and wife from testifying as witnesses for and against each other, except in a very limited class of cases. I can perceive no good purpose which this law can subserve; and it may work wrong and injury.

The old common law notion of the merger of the wife in the person of the husband, has been long since exploded, and all the incidents and inferences growing out of it, should be buried with it. It is wiser and safer to trust to the honor and the conscience of men and women, than to close their lips entirely.

ADMISSION OF EVIDENCE.

Our code also provides that in the trial of causes, the party having the burden of proof, shall first produce his evidence, and then the other

side shall produce his. This is all very well, but the next provision is one calculated to work injustice, by keeping material evidence from the jury. It provides that after the evidence in chief has been submitted, both parties shall be confined to strictly rebutting evidence.

It strikes me that this rule does more harm than good; more time is wasted in the discussions as to the character of the evidence, and as to what has been testified, than would be required in taking the testimony offered. A repeal or modification of this rule seems desirable. It is safe to abolish every restriction that hinders the truth,—it is just to remove every obstruction that impedes justice. It is time that the technicalities and exactions of the common law had disappeared.

STATUTES OF LIMITATION.

The attention of the legislature is also called to the present statutes of limitation. They are unreasonable and injurious. The policy of fixing a shorter time, within which, actions shall be barred in a new country, has advantages that should not be lightly estimated, and it is, in my judgment, both wise and salutary. A reasonable time, within which, claims might be enforced in the courts, should be allowed; but the public weal, and a humane policy, require that those who seek homes in the Territory should not be pursued and harassed for an unreasonably long term of years.

At present, debtors, who have become so by mistake, misfortune, or necessity, may be sued on contracts, at periods ranging from six to fifteen years. It is the duty of the Territory to protect the debtor class of its citizens, by wise statutes of limitation, on the score of humanity, as well as to allow the creditor a reasonable time in which, diligently, to enforce his claim, or demand, on the score of justice.

Section 710, of the code of Civil Procedure, passed by the last legislature, provides for the repeal of the Code of 1869, except in so far, as promissory notes were executed, and foreign judgments were obtained, before the taking effect of the repealing act, on the first of March, 1874. This exception does not seem to me to have any foundation in wisdom or public policy.

The code of procedure should be general, and there is no apparent reason why this exception should be made, or why these cases should not come under the operation of the civil code of 1873. As the law

now stands, confusion and mistakes are liable frequently to occur. Let the application of the law be general, and the exceptions as few as possible.

CORPORATIONS.

The law to create and to regulate corporations, passed by the first legislative assembly, needs careful revision. Portions of this enactment were so clearly improper, that Congress, exercising its undoubted supervisory power, felt constrained to repeal them. The need now of a good, wholesome enactment on the subject of corporations is clearly apparent.

APPORTIONMENT.

Your attention is especially directed to two matters, in which duties are imposed upon the Legislative Assembly by the Organic Act, and which have hitherto been neglected. One is, making an apportionment of the members of the Council and House of Representatives among the several counties, or districts, according to the population, as required by the fourth section of said act.

Thrice has Congress been called upon to supply the neglect, by authorizing the Governor to make the apportionment. This sometimes causes dissatisfaction. This duty should not be devolved upon the Executive Officer; his function is to execute laws,—not to make them. If you perform your duty justly in this regard, there need be no ground of complaint.

ASSIGNMENT OF THE JUDGES.

The other matter in which the duty of the Legislative Assembly has also been neglected, is the assignment of the Justices of the Supreme Court to the Judicial Districts, into which the Territory is, or may be, divided, as required by the ninth and fifteenth sections of said act.

This duty should no longer be delayed. It was clearly contemplated by that act, that they should be assigned immediately after the organization of the Territory, inasmuch as the Governor was authorized to make the assignment in the first instance, without waiting for the action of the Legislature.

The place of residence of each Justice is required to be in the district to which he is assigned; the reasons for this requirement will suggest themselves to every mind without argument.

MORE JUSTICES OF THE PEACE.

Under our present system, we have so few officers who are empowered to administer oaths, take acknowledgments of deeds, and perform other ministerial acts, that it often becomes a great inconvenience, and sometimes a considerable expense, to get necessary papers properly executed. This difficulty is overcome in many of the older States by appointing a large number of Justices of the Peace in every county, having, or exercising, only ministerial powers; so that there never can be any difficulty in finding one whenever wanted. Some such plan is recommended for adoption here. If the power is given to appoint for a limited number of years, as many Justices of the Peace, not having judicial powers conferred on them, but capable of performing all the ministerial acts of magistrates, as the different precincts or neighborhoods in the counties seem to require, it would conduce greatly to the accommodation of the people, and save much time and expense. The fees should be very small for such trifling services, and their official signatures should be made sufficient authentication without a seal. The object to be sought is, convenience and facility for doing business, for the whole people, and not to create offices, or multiply expenses. If, for example, every respectable attorney was a ministerial magistrate, empowered to administer oaths, and take acknowledgments of deeds, it would save much trouble to all the parties, and he could better afford to do the work for nothing, than to go over the town to hunt up the officers we now have, whenever he draws an affidavit or makes a deed.

FEMALE SUFFRAGE.

Woman suffrage has now been in practical operation in our Territory for six years, and has, during the time, increased in popularity and in the confidence of the people. In my judgment, its results have been beneficial, and its influence favorable to the best interests of the community. A right or privilege, once granted, is not easily surrendered. In this case it is difficult to perceive any good reason why it should be.

THE SCHOOL QUESTION.

The present laws in relation to schools seem to work favorably, so far as I have been able to learn, and I have no recommendation to make in regard to them.

BIENNIAL ELECTIONS.

After mature deliberation, it has not been in my power to discover any sufficient and valid reasons for the continuance of annual elections; on the contrary, many considerations present themselves, which justify their discontinuance. The saving of expense to the people forms no inconsiderable item. The excitement, strife, and controversies, incident to the primaries, the nominating conventions, and the elections, will be avoided on alternate years; the peace of communities, and the best interests of individuals, will be enhanced thereby. Quiet, for the public, is better than unrest. Public repose is much to be preferred to political excitement.

The corps of officers in the different counties, so far as it has been possible for me to learn, is generally composed of capable and worthy men. Their terms of office expire next year. They could be extended one year, which is hereby recommended. The election of Delegate to Congress, which occurs in 1876, could be deferred to the succeeding year, by asking Congress to make a change in this respect. I therefore recommend the passage of a law, providing for a general election, to be held on the first Tuesday of September, 1877, and on each alternate year thereafterwards, at which, all the various elective offices in the Territory shall be filled, including Delegate to Congress, members of the Legislature, and all the county officers, and that no general election be held in 1876.

INDUCEMENT TO CAPITAL FOR MANUFACTURING PURPOSES.

One of the great wants, in a new community, is the necessary capital to establish and carry on manufacturing enterprises, and those industries which require the aid of machinery and large buildings, for convenient and profitable development. Any reasonable method to attract foreign capital hither, should meet with your candid consideration and approval.

Perhaps there has been no more effectual plan devised, or any more widely adopted, than that of abating the taxes, for a limited number of years, on the capital invested in such enterprises. While a company, or corporation, is getting under way in a newly settled country, they must necessarily encounter many unusual and extraordinary expenses, and labor under many difficulties, which would not be incident in older communities. It would seem wise, therefore, to add this substantial

security to their means of success; and give this additional weight, to our invitation to the capitalist to come among us, that his resources shall not be taxed until he has had time to get them in a permanent condition, and thrifty, profitable order. To this end, I would suggest the propriety of enacting a law by which the people in any county, city, or town, as the case may be, shall have the power to abate the taxes on any incorporated capital that may be invested within their boundaries, for such a limited number of years as may seem reasonable.

AGRICULTURAL RESOURCES.

While it is not claimed that Wyoming Territory will ever become an eminently farming State, there are, along the North Platte river and its tributaries, many hundred miles of bottom land, of a rich character, easily and cheaply irrigated, and capable of producing reasonable crops of various kinds. Along the Powder river, the Big Horn, the Yellowstone, the Wind river, and numerous streams in the northern portion of the Territory, the bottom lands are extensive and fertile, and capable of supporting a large agricultural population; and it is not unreasonable to believe, that, within a short time these lands will be cultivated.

WYOMING—PASTORAL—GRAZING.

But agriculture, in its ordinary sense, does not embrace the great feature of agricultural wealth, and industry, which distinguishes Wyoming, and which will soon render its elevated prairies and mountain slopes, as well known as the pampas of South America, or the sheepwalks of Australia. It is the endless extent, the peculiar and enduring character of the grazing, that attracts the farmer, and yields a return for his capital and labor, far beyond what it is possible to obtain from the mere cultivation of the soil. The raising of cattle, sheep and horses seem to be equally successful.

STOCK RAISING.

The following exhibit shows to what extent the business of stock and wool raising has reached. There were shipped from different stations in the Territory in 1874, 567 car-loads of live stock; in 1875, 915 car-loads were shipped, being an increase of 348 car-loads, in the ten months of the present year, over the whole year of 1874; the whole amount shipped since January, 1874, being 29,640 head.

Wool.—Of wool, there were shipped, in 1874, 106,353 pounds; in 1875, 201,222 pounds, making an increase of 94,869 pounds in one year. These results have been attained while the business is in its infancy.

THE WESTERN PLAINS TO FURNISH ANIMAL FOOD.

The press, in Europe, has, for some three years, been agitating the subject of "meat supply"; and there is no more important problem than that which affects the supply of animal food for the great masses of population.

The general feeling in Europe is, that the Australian provinces, and the countries of South America, are too distant for their use, and the Western States and Territories of America are beginning to attract the attention of Europeans in this regard. The following is from one of the leading English papers on this subject:

There remain the Western States of America, whence we believe we may obtain cattle as well as corn, in almost as large quantities, as we can desire. There is a cattle trade in the West and South-west, which is only at its beginning. In the South-west State of Texas, the cattle roam in practically limitless herds; and north of that State, are the grand grazing regions of Nebraska and Wyoming.

The Texas cattle are a strong, bony breed, and, on being crossed with the Durham, a fine flesh-producing animal is found. These cattle are distributed over the grassy plains, where systematic stock-raising will yet be one of the most flourishing industries. It is the land for stock, which, on the wide and healthy ranges, are free from disease.

There is, therefore, a wide field for enterprise, in this trade, and the sooner it is opened out, the sooner will our people realize the traditional idea of beef-fed Englishmen.

CAPITAL WANTED FOR THIS PURPOSE.

Wyoming being a pastoral and mineral region, and requiring capital for its development, more than it does that kind of immigration which seeks land for its cultivation, which however, I do not discourage, the question arises, whence capital is to come; and what measures, if any, should be employed, by which capital might be induced to find its way here for investment. If capital comes, labor will follow. Without it, the development of our resources will be slow.

One of the largest of the British colonies is devoted, in a great measure, to the production of wool. Millions of pounds sterling are invested by English capitalists in Australian sheep-runs, as they are

termed. During the last year or two, many of these capitalists, in passing over the trans-continental railway, have had their attention drawn to Wyoming, and its facilities for wool-growing; and a general conclusion has been arrived at, that it is even better suited for that purpose than Australia; and there are large numbers of men in England who have accumulated fortunes in that Province, in wool-growing, who would undoubtedly be willing to invest in the same business in Wyoming, did they but know of its advantages. Australia is regarded as too distant from the home country for the investment of surplus capital; and the present seems a favorable time for attracting their attention to this Territory, which has all the advantages of Australia, and is but fifteen days journey from Great Britain. The wool can be shipped at much less cost, while the quality is quite equal to Australian, and the locality is such that the parties can come here from time to time, and look after their interests.

This subject deserves your attentive consideration, for it will have a most important bearing upon the interests of our people for years to come. It is for you to determine whether any steps shall be taken, looking to the accomplishment of this end.

DECREASE OF STOCK BETWEEN 1860 AND 1870, IN THE UNITED STATES.

The value and importance, in a national point of view, of our stock-raising facilities, and the assurance of its being a successful business, are very clearly shown by the returns of the last decennial census, when compared with those of 1860. There were in the States and Territories, in 1860, 25,620,021 head of neat cattle; in 1870, 23,820,608 head, showing a falling off in number of, 1,800,413, in ten years. There was a slight increase during that time in the number of milch cows; but an actual decrease in the number of working oxen of 935,000 head; and in other classes of neat stock, a loss of over 1,000,000. But during the same ten years, there was an increase in our population of more than 7,000,000, giving us over 38,000,000 of people to feed in 1870, with 23,000,000 of neat cattle; against 31,000,000 of people in 1860, and 25,000,000 of neat cattle to supply them with food; an increase of 7,000,000 of people against a loss of nearly 2,000,000 of neat cattle in that period. It is evident from these figures, that the price of neat stock, and the price of meats, must have increased during these ten years; and we accordingly find the

total value of all live stock returned at \$1,089,000,000 in 1860, while it is \$1,525,000,000 in 1870, showing an increase in value of \$436,000,000, or more than fifty per cent in price. A part of this increase in value is, undoubtedly, due to the improvement in the stock itself; so that a less number may actually produce more pounds of meat, and be of greater value, in consequence of its better grade; but there is a limit in this direction, which may ere long be reached.

There is another fact exhibited by these census returns, which is worthy of note. While some of the Western States and Territories show an increase in the number of neat stock, all the old States show a falling off; and this process has been going on for a long time, and will be likely to continue in the future, in consequence of the decline in the forage crops.

These considerations convincingly demonstrate the necessity, that the grazing facilities of these plains and valleys and mountains should soon be turned to account in helping to supply the people of our country and Europe, with animal food.

STOCK RAISING PROFITABLE.

It is impossible, therefore, that stock-raising, where such almost limitless quantities of nutritious grasses are produced spontaneously every year, as grow here, can fail to be a profitable element of material prosperity, either for the capitalist with his herds that count by the thousands, or the farmer with a small stock. This subject is attracting much attention, and it is not unreasonable to suppose that we may soon become one of the largest stock growing States in the Union.

The past season has been a particularly prosperous one to that portion of our people engaged in handling stock, of whatever kind, and ample remunerative returns have been realized, and added to the Territorial wealth.

The people of the East must soon look to us for a large share of their supplies of beef and mutton; and our markets for these products must become more and more secure and satisfactory.

Whatever legislation may be necessary to foster and protect its interests, should receive favorable consideration, for it is one of our main sources of wealth and prosperity, and must always continue to be such, in constantly increasing proportions.

WYOMING—MINERAL.

The existence of various minerals is a fact so well established, that it need not be discussed. Gold, silver, iron, lead, copper, plumbago, petroleum, and other valuable products, are found in more or less quantities throughout the Territory. Careful inquiry and investigation have led me to the conclusion, that, in mineral wealth and resources, Wyoming is not behind Colorado or Utah. During the last, and the present, season, explorations have been prosecuted and new mines have been opened. In the hills twenty miles northwest from Cheyenne, veins, of copper, gold, and silver, have been found. This range has been hurriedly examined as far north as Laramie Peak—about 100 miles—and indications of mineral wealth generally observed. Mines of silver and plumbago have been opened on the Sabille, some forty miles north of the railroad.

Extensive prospecting has been going on in the spur of mountains running off westerly from the the main chain, for about 100 miles, starting from the neighborhood of Long's Peak, in Colorado, and bounding the Laramie Plains on the south and west. The streams which descend from this range have been found to carry gold, and considerable quantities have been washed from them. Works are now in progress for fluming and washing the beds of these streams.

During the last autumn and winter, discoveries of valuable lodes were made in this same spur, about twenty-five miles southwest from the city of Laramie. Among them is the Centennial mine, for the working of which valuable machinery has been supplied. Sufficient has been developed to justify the conviction that it must prove a source of great wealth.

A little further to the west and south, on Snake river, is a mining camp, from which considerable quantities of gold dust have been sold at Rawlins.

The mines in the Seminole and Ferris districts, and the Sweetwater district, north from the town of Green River, and the Wind river district, give evidence of abundant wealth, when developed by capital and labor.

Prof. Jenney, selected by the Government to explore the Black Hills, and test the question of their mineral wealth, reports that gold is found in paying quantities in Bear Lodge district, all of which is within the

boundaries of Wyoming, and is estimated by him to be about fifty miles square.

COAL.

Each year adds to the number of coal beds already discovered and successfully worked, and which seem practicably to be exhaustless.

During the year ending August 31st, 1875, there were taken from the mines in and around Carbon, Rock Springs, and Evanston, 324,673 tons of coal.

IRON.

The establishment of rolling mills at Laramie, and the proposed establishment there for the manufacture of steel rails, will soon create a demand for the ore which is found in such abundance in the hills but a few miles distant from the railroad; and it is not improbable that the iron necessary for railroad purposes, west of the Missouri river, will soon be manufactured in our own Territory.

This hasty review of our mining resources and operations, will show that the fields are extensive for the labor of the miner and the settler. In treating of these subjects it has been my purpose, not to present to you any overdrawn representation of our Territorial wealth, but to give you the results of candid investigation, sustained by no doubtful evidence. Were the whole truth to be told, many, unfamiliar with this section of country, might conclude that we had drawn upon our imagination for the reality, instead of resting on the basis of substantial facts.

THE INDIAN QUESTION.

The condition of Indian affairs, on our border, has been a constant hindrance and drawback, for years, to the settlement of our Territory. By the terms of the treaty of 1868, all that portion of Wyoming lying north of the North Platte and east of the summit of the Big Horn mountains, is declared to be unceded lands, and reserved as hunting grounds for the Indians. It is thus effectually closed against settlement. The government has enforced a compliance with the provisions of this treaty, by compelling the miners and prospectors, who had gone there with laudable purposes, to leave the Black Hills; but the Indians have violated the same provisions in every month in every year, except, perhaps, the severest winter months, since the treaty was made. They have been continually making predatory excursions across the

North Platte, into Southern Wyoming, stealing stock and killing settlers, where they have no more right to go, than the whites have to go into the Black Hills. They have not only prevented settlements, but have caused others already established in the Sweetwater and Wind River regions, to be nearly broken up, and paying mines to be entirely abandoned. Reliable documentary evidence has been furnished me, showing that since July, 1868, seventy-three citizens, engaged in lawful callings, have been slain by Indian marauders. Also, that more than \$600,000 worth of stock have been stolen by them during the same time. These murders have been committed, and the theft of this large amount of property has taken place on land ceded to the United States, and from which the Indians are excluded.

I know of no killing of an Indian in the Territory, or of stealing his stock by any resident thereof, save that of four killed by a sheriff and his party, in pursuit of them for stealing horses.

LIBERALITY OF THE GOVERNMENT TO THE INDIANS.

The government has dealt generously with its red children. It is a low estimate to say, that during the last fifty years, it has expended over two hundred millions in feeding and clothing them, besides large benefactions in the way of schools and presents. During this year, more than a million dollars have been expended in feeding them, outside of any treaty obligation; and yet they kill our people and steal their property. These facts would be proper subjects of consideration for those people in the Eastern States, whose hearts yearn with compassion for the wronged Indian, and who have little or no sympathy for their white brethren; who regard the red man as the innocent victim of the rapacity and cruelty of the remorseless pioneers, who found communities and build States.

FAILURE OF THE BLACK HILLS COMMISSION.

You are aware the commission appointed by the President to arrange with the Indians for the extinguishment of their title to the Black Hills, has utterly failed in accomplishing the object. The miners will evidently attempt to go into the Hills, and into Northern Wyoming, next spring, in large numbers, for the existence of precious metals there, in paying quantities, is now a well established fact. To stop them will be an unpleasant task; to force those back already there.

will impose upon the officers and soldiers of the army, a most difficult, disagreeable, and ungracious duty. They go there to develop the resources of the earth, to utilize its advantages, and bring forth results; they introduce industrial pursuits, and thus add to the aggregate of the common wealth of the nation.

It is to be hoped the government will not much longer feel constrained to enforce compliance with the treaty mentioned, while the Indians persistently and continually disregard and violate it. It is a well settled principle in law, that when one party to an agreement ignores its provisions, the other is absolved from all obligation to respect them.

Those lands are of no use to the Indians. They neither cultivate the soil nor develop the wealth beneath. They rarely, if ever, go into the Black Hills. The frequency of thunder storms and the continual manifestations of electrical power, induced evidently by a combination of metals, and especially by the magnetic influence of iron in immense deposits there, inspire them with awe and superstition. The buffalo have almost entirely disappeared, and hunting, therefore, is little available.

It does not appear to be in consonance with the spirit of the age, that civilization and development should be stayed, that valuable lands, which labor and industry would render productive, should remain forever worthless, because wild Indians choose to prevent it.

NEW POLICE WITH THE RED MEN.

It seems to me the time has arrived when a new course of action should be adopted in dealing with the Indians. The present condition of things would seem to justify the government in assuming its proper relation to, and jurisdiction over, them, namely, that of guardian, and treat them as its wards, and control their actions. It feeds them; why should it not govern them? The answer with some will be, the treaty. I reply, the Indians are no respectors of treaties. They are incapable of determining what is for their own good. The government will treat them in a spirit of kindness and benevolence, as it should.

SELF SUSTAINING.

There is no reason or justice in the people of the country being taxed to raise the means wherewith to support the Indian in idleness.

The further continuance of the policy, of thus supporting him, is wrong. He should be taught to labor, and thus earn his living. Labor is a law of life, and there is no reason why he should be exempt.

Under the act of the last Congress the rule has been applied to certain tribes, of requiring them to labor, as a condition of receiving their annuities, and with good results. It is to be hoped that this policy will be applied to the different bands of the Sioux. Let them be compelled to remain on their reservations, and their tribal relations be dissolved. Let lands be given them in severalty, with cattle and implements of husbandry. They can engage in raising stock. Let them be taught habits of industry, and that it is only by work that they can live, and be made comfortable. Let them be civilized and educated, and made subject to the same laws that govern all the citizens of the Republic, and this troublesome Indian question will be permanently settled. If your views are in accord with these, I respectfully recommend that you embody them, or such others as may seem proper to you, in a memorial to Congress.

GENTLEMEN:—I have thus outlined the various subjects which seem to require attention on your part, trusting that you will have the necessary wisdom, and judgment, to guide you in all your deliberations.

To perfect laws, to enact just ones, to labor for the common good, to promote the happiness and welfare of the people, are among the duties now imposed upon you. Their successful discharge will fill the measure of an honorable ambition. In all that shall tend to accomplish these objects, you will have the cordial co-operation of the Executive.

Having been unexpectedly called, some months since, to fill the position I now occupy, I give you the assurance that all the energies I possess, shall be applied in aiding the progress and development of Wyoming.

JOHN M. THAYER.

EXECUTIVE DEPARTMENT, }
Cheyenne, Nov. 2d, 1875. }